

**CERTIFICATE OF MAILING**  
I hereby certify that this paper and every  
paper referred to therein as being enclosed  
is deposited with the U.S. Postal Service  
as first class mail postage prepaid, in  
an envelope addressed to Commissioner  
for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on September 17, 2004 (Date of Deposit)  
9-17-04 Shelly Best  
Date Name

PATENT

Attorney Docket No. 003536 C02



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

re Application of: James CARDUCCI, et al. ) Group Art Unit: 1763  
Entitled: MAGNETIC BARRIER FOR ) Examiner: George Goudreau  
PLASMA IN CHAMBER EXHAUST )  
Serial No.: 09/775,295 )  
Filing Date: January 31, 2001 )

Commissioner of  
Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**DECLARATION OF GAILE BAILEY**

1. I, Gaile Bailey, am the Docket Administrator in the legal department of Applied Materials, Inc., and am in charge of docketing all patent prosecution correspondence received by Applied Materials from the United States Patent Office. I use a commercially available computer database maintained by Applied Materials, Inc. to perform this docketing. This computer database stores all docketing information. Every piece of correspondence received by Applied Materials from the U.S. Patent Office is docketed by me by making an entry in this computer database, where it is permanently stored.

2. I have held the above-described position of Docket Administrator throughout the time all correspondence in the above-referenced patent application was or would have been mailed from the United States Patent Office.

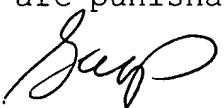
3. Applied Materials, Inc. is the recipient of record for all correspondence from the United States Patent Office in the above-referenced patent application. Therefore, all correspondence in this case received by Applied Materials is inspected by me and docketed by me and the original is placed in the Applied Materials case folder. A copy of the correspondence is forwarded to the law firm handling the application, while retaining the original in the Applied Materials case folder. The law firm or attorney handling the above-referenced application for Applied Materials is Robert M. Wallace.

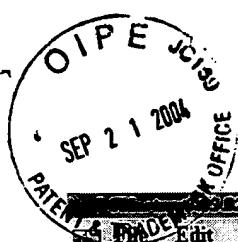
4. At the request of Robert M. Wallace, on or about August 24, 2004, I searched the Applied Materials computer database docket records of the above referenced application for a Notice of Allowance or any similar correspondence. I found that no Notice of Allowance or similar correspondence had been entered or docketed for the above-referenced application.

5. In performing this search, I brought up two computer screens generated by the computer system referenced above, and obtained print-outs of these screens, which are attached hereto and labeled as "1 of 2" and "2 of 2" respectively. The attached print-outs "1 of 2" and "2 of 2" are the entire complete record of all correspondence received from the U.S. Patent Office in the above-referenced patent application up to the date of the search (on or about August 24, 2004). The attached print-out labeled "1 of 2" is the data defining the application as of the time of filing on January 31, 2001.

6. The foregoing facts have only one possible explanation: The Notice of Allowance and Base Issue Fee Due in the above-referenced application was never received by Applied Materials, Inc. from the U.S. Patent Office.

7. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, except as to statements made upon information or belief and as to those statements I believe them to be true, and I acknowledge that willfull false statements and the like herein are punishable by fine or imprisonment or both under 18 USC 1001.

  
\_\_\_\_\_  
Gaile Bailey  
Date: 9/14/04



USPTO - Patent & Trademark Office

File Edit Records Utilities Tools Help

Docket Number: 003536

Country: United States

Case Type: REGULAR CASE TYPE

Relation Type: CONTINUATION

Filing Type: NATIONAL CASE

Filing Number: 02

Attorney: Joseph Bach

Law Firm: Law Office of Robert M. Walla

Client/Division: ETCH

Current Owner: Applied Materials, Inc.

Previous Owner:

AMJS:

MAGNETIC BARRIER FOR PLASMA IN CHAMBER EXHAUST

Licenses	Other No's	SAP/Dkt/No	Related Id	Title	Text	SAP/CC#	Product	Aty Cmts
Filing Data	Rel/Pty/Info	Asgn/Archive	Actions	Description	Expenses	Ext Files	Inventors	Keywords
Status	APPLICATION IS FILED			First Filing Date	04/25/2000			
Sub Status				Sub Status Date				
Parent Country	United States			Parent Filing Date	04/25/2000			
Parent Number	09/557,990			Parent Grant Date				
Total Claims	12			Ind. Claims/Designs	5			
Application Number	09/775,295			Application Date	01/31/2001			
Patent Number				Grant Date				
Publication Number	2001-0032591			Publication Date	10/25/2001			
Assigned	ASSIGNMENT RECORDED			Expiration Date				
Convention Type				Tax Base Date				
Government Contract				Next Tax Date				

Created: 02/01/2001 Updated: 08/24/2004 3:08 PM By: SA

Start Gail Bailey - Inbox - L... PCMaster v3.03.02 - ... 1:57 PM

Main Screen – No Allowance Date entered

3032-A-1000000-Print

File Edit Records Utilities Tools Help

Docket Number: 003536  
 Country: United States  
 Case Type: REGULAR CASE TYPE  
 Relation Type: CONTINUATION  
 Filing Type: NATIONAL CASE  
 Filing Number: 02  
 Attorney: Joseph Bach  
 Law Firm: Law Office of Robert M. Wall  
 Client/Division: ETCH  
 Current Owner: Applied Materials, Inc.  
 Previous Owner: AMJ8

MAGNETIC BARRIER FOR PLASMA IN CHAMBER EXHAUST

Licenses	Other No's	SAP Dkt No	Related Id	Title	Text	SAP/CC#	Product	Aty Cmts
Filing Data	Rel Pty Info	Asgn/Archive	Actions	Description	Expenses	Ext/Files	Inventors	Keywords
			Action	Action Due Date	Taken Date	Deadline Date	Completed Date	A N
►	Information Disclosure Statement	04/30/2001*					05/10/2001	
	Proposed Publication Date	10/25/2001*					10/25/2001	
	PCT Search Rpt Published-IDS?	05/20/2002						
	Official Action Due Date	01/08/2004		11/06/2003	04/08/2004		12/16/2003	
	RESPONSE TO ABANDONMENT	08/29/2004		08/24/2004				
	NO INVENTOR FILING AWARD							
	Formal Drawings Submitted						01/31/2001	
	Filing Receipt Received						04/02/2001	
	Supplemental IDS Filed						05/15/2001	
	Status Inquiry			11/04/2003				
	Supplemental IDS Filed						06/05/2001	
	cau							

Created: 02/01/2001 Updated: 08/24/2004 3:08 PM By: SA

Start C:\Windows\PCMaster v3.0... Microsoft Word 1:58 PM

Action Screen – No Issue Fee due date docketed